THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 16439 OF 2007

Dated 21st August 2007

Between:

C.Venkataiah & others

…Petitioners

and

The Commissioner of Fisheries,
Department of Fisheries,
Mastya Bhavan, Shanthinagar, Hyderabad
& others.

…Respondents

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O R D E R:

Petitioners claim to be the residents of Gudivada village of Kethepally Mandal, Nalgonda District. There exists a Fishermen Cooperative Society for that village, which is the 4th respondent herein. At present, the membership of the 4th respondent society is 51. The water spread area of the tanks within the jurisdiction of the 4th respondent is said to be 150 Hectares.

Petitioners submitted an application to the society, seeking admission as members. On the orders passed by the then President, membership fee is also said to have been paid. The grievance of the petitioners is that they have not been admitted as members of the 4th respondent society, so far.

On behalf of 4th respondent, a counter affidavit is filed, and it is stated that though a skill test was proposed to be held on 3.7.2007, by the Fisheries Development Officer, Nalgonda, it has not been held.

Except that, no other reason is stated.

Heard learned counsel for the petitioners, learned Government Pleader for Fisheries, and learned counsel for the 4th respondent.

The circulars and orders, issued from time to time, by the Commissioner of Fisheries, the 1st respondent, mandate that only such of the persons, who pass the skill test, be admitted as members of a Fishermen Cooperative Society. Further, the number of persons, that can be admitted into a society, would depend upon the water spread area of the tanks, within the area of operation of the society.

If what is stated by the petitioners, as regards the water spread area of the tanks, in the area of operation of 4th respondent society is true, almost all of them can be admitted as members, subject to their passing the skill test. On its part, the society passed resolutions, proposing to admit the petitioners as members, on 10.1.2002 and 31.01.2007. The further steps could not be taken, on account of the failure to conduct the skill test. Though one test was proposed to be held on 3.7.2007, it could not fructify. Any delay, in this regard, would have its own affect on the livelihood of the petitioners.

For the foregoing reasons, the writ petition is disposed of, directing the 3rd respondent to take necessary steps for arranging a skill test for the petitioners, within a period of six weeks from today, and the 4th respondent to take further steps, depending on the outcome of the test. There shall be no order as to costs.

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21st August 2007

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